

1 BILL NO. S-89-02-05

2 SPECIAL ORDINANCE NO. S- 38-89

3 AN ORDINANCE approving the awarding of  
4 Reference #1259 by the City of Fort  
5 Wayne, Indiana, by and through its  
6 Department of Purchasing and TRAFFIC ONE  
7 for the Traffic Engineering Department.

8 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF  
9 THE CITY OF FORT WAYNE, INDIANA;

10 SECTION 1. That Reference #1259 between the City of  
11 Fort Wayne, by and through its Department of Purchasing and  
12 TRAFFIC ONE for the Traffic Engineering Department,  
13 respectfully for:

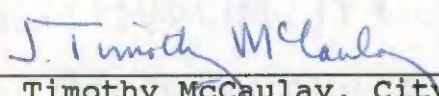
14 the purchase of three (3) traffic signal  
15 controller units and cabinets for the  
16 Traffic Engineering Department;

17 involving a total cost of Eight Thousand Three Hundred  
18 Seventy and no/100 Dollars (\$8,370.00), all as more  
19 particularly set forth in said Reference #1259 which is on  
20 file in the Office of the Department of Purchasing, and is  
21 by reference incorporated herein, made a part hereof, and is  
22 hereby in all things ratified, confirmed and approved.

23 SECTION 2. That this Ordinance shall be in full force  
24 and effect from and after its passage and any and all  
25 necessary approval by the Mayor.

26   
Councilmember

27 APPROVED AS TO FORM  
28 AND LEGALITY

29   
J. Timothy McCaulay, City Attorney



Reference # 1259

Department TRAFFIC ENGINEERING

Date 2-8-89

PURCHASING INFORMATION

TRAFFIC SIGNAL CONTROLLERS

Advertised Bid X Opening Date 8-5-86  
Dates Advertised 7-18-86, 7-25-86

Written Quote \_\_\_\_\_ Due Date \_\_\_\_\_

Verbal Quote \_\_\_\_\_

Number of Vendors Notified 10

Number of Vendors Requesting Bid Information 5

Number of Vendors Responding 3

Number of Vendors Disqualified 0

Number of Vendors not Responding 7

Date Sent to Department for Recommendation \_\_\_\_\_

Date Recommendation is Received in Purchasing \_\_\_\_\_

Information Sent to Law Department \_\_\_\_\_

Introduction Date \_\_\_\_\_

Discussion Date \_\_\_\_\_

Passage Date \_\_\_\_\_

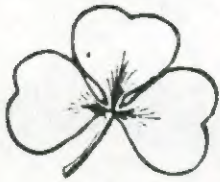
Ordinance # \_\_\_\_\_

Amount Approved and/or Spent Last Year, if Applicable \_\_\_\_\_

Bid Reference #1259  
Open: August 5, 1986 at 10:00 A.M.  
Traffic Signal Control Equip  
Traffic Engineering

Company Name	Solid State (1)	Two-Phase (3)	Five-Phase (1)	Total
Bell & Gustus	\$6,208.00	\$13,629.00	\$7,551.00	\$27,388.00
Elliott Equip	\$5,307.00	\$13,527.00	\$7,801.00	\$26,635.00
Traffic One	\$4,300.00	\$ 8,370.00 <i>2790.00 ea</i>	\$4,100.00	\$16,770.00 <i>12,470.00</i>





# Traffic One

307 E. YODER ROAD  
FORT WAYNE, INDIANA 46819

639-6651

January 5, 1989

Mr. Steve Davis  
Traffic Engineering Dept.  
Room 740 City-County Bldg.  
Fort Wayne, In 46802

RE: Bid Reference 1259  
Bid Reference 1339

Dear Steve:

Traffic One Inc. is desirous to renew and extend Bid Reference #1259 and #1339 "Two Phase, Four Phase, Eight Phase fully actuated solid state controllers and cabinets" for an additional year in compliance with Indiana Law. Said extension under the same prices and conditions as the original contract.

Thank you for consideration.

Yours truly,

*Tommy J. Manny*  
PRESIDENT

RECEIVED

JAN 10 1989

TRAFFIC ENG.

c: Walt Stout  
Purchasing

2.  
(Front Page)

CITY OF FORT WAYNE

DEPARTMENT OF PURCHASING  
ONE MAIN STREET - ROOM 940  
FORT WAYNE, INDIANA 46802

BID REFERENCE # 1259

DATE July 14, 1986

DUE DATE Tuesday, August 5, 1986 at 10:00 A.M.

Department receiving bid items Traffic Engineering - Signal Dept  
Room 740, City County Building  
Fort Wayne, Indiana 46802

Bid Bond Required	NO _____	YES <u>X</u>	AMOUNT <u>5%</u>
Performance Bond Required	NO <u>X</u>	YES _____	AMOUNT _____
Affirmative Action	ON FILE _____	ATTACHED _____	

Prompt payment discounts will be allowed as follows: N/A %  
if paid within \_\_\_\_\_ days.

The City of Fort Wayne is exempt from Federal excise and Indiana State Sale Tax. The City's Indiana Sales Tax Exemption Certificate number is 356-001-255 0013, prices should not include these taxes.

The execution hereof by the bidder is acceptance of all terms and conditions herein and in that regard the bidder agrees to be bound by same and be bound to the amount of his/her bid for a period of sixty (60) days.

**FORT  
WAYNE  
WHERE AMERICA  
WORKS**

TRAFFIC ONE INC  
Name of Company  
by Thomas O. Manning Agent  
(signature)  
Address 307 E Yoder Rd  
city Fort Wayne In 46819



THE FOLLOWING IS THE UNDERSIGNED'S COMMITMENT OF THE MBE/WBE GOALS OF THE CITY FOR WORK DONE PURSUANT TO THIS CONTRACT:

- (a) X The undersigned firm certifies that it is an (~~MBE~~/WBE) Contractor (cross out inapplicable provision).

For MBE specify percentage of minority ownership \_\_\_\_%.

For WBE specify percentage of women ownership 56%.

- (b) \_\_\_\_ The undersigned certifies that they are a joint venture in which the following (MBE/WBE) firm \_\_\_\_ (cross out inapplicable provision) is a joint venture partner.

The MBE/WBE (cross out inapplicable provision) firm shall have \_\_\_\_% participation (employees) \_\_\_\_% participation (costs) in this project.

Specify the percentage of minority/women ownership in the MBE/WBE firm \_\_\_\_%. (cross out inapplicable provision)

- (c) The undersigned commits \_\_\_\_% of the total bid price as a subcontract to minority business enterprise participation. The MBE firms which are proposed as subcontractors are the following:

	<u>Name of Firm</u>	<u>Address</u>	<u>Type of Work</u>
1.			
2.			
3.			

- (d) The undersigned commits \_\_\_\_% of the total bid price as a subcontract to women business enterprise participation. The WBE firms which are proposed as subcontractors are the following:

	<u>Name of Firm</u>	<u>Address</u>	<u>Type of Work</u>
1.			
2.			
3.			



(e) Complete (1) and (2) below if participation goals of 15% MBE and 12% WBE have not been met:

1. My Company cannot meet the participation goals for the following reasons: \_\_\_\_\_

2. We have taken the following steps in an attempt to comply with these participation goals: \_\_\_\_\_

TRAFFIC ONE INC  
Contractor

\_\_\_\_\_  
Contractor

By Thomas A. Manning

By \_\_\_\_\_

Its Exec.

Its \_\_\_\_\_

☐ 12. Performance Bond. The successful bidder, at the time of signing the contract will be required, at his own expense, to furnish a bond guaranteeing faithful execution of the contract, in full amount of the contract price, executed by the bidder and a surety company admitted to do business in Indiana, on the bond form provided or approved by the City. The Performance Bond shall contain the following clause: "The said Surety, for value received, hereby stipulates and agrees, that no change, extension of the time, alteration or addition to the terms of the contract or to the work to be performed thereunder, or the specifications accompanying the same, shall in any way affect its obligation on this bond, and it does hereby waive notice of any change, extension of time, alteration or addition to the terms of the contract, or to the work or specification.

☒ 13. Councilmanic Approval and Ratification of Contract. This agreement, although executed on behalf of the City by the Mayor and the Purchasing Agent shall not be binding upon the City unless and until the contract has been ratified and approved by the Common Council of the City of Fort Wayne, Indiana. If the Common Council fails to approve the contract within ninety days after the date of bid opening, then the contractor shall not be bound to the contract unless he/she/it elects to be so bound.



## SPECIAL INSTRUCTIONS TO BIDDERS

### DELIVERY

Delivery of all items stated upon the purchase order shall be guaranteed to be completed within sixteen (16) weeks after the date of the purchase order.

### PRICE-INVOICING

Prices shall include all delivery charges. Invoices must be submitted to the using department together with the City's standard claim form.

### AWARD

The city reserves the right to break up the bid and award each item separately.

<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>BID PRICE</u>
1	Solid-state, digital pre-timed controller with external conflict monitor and computer communications package mounted in type "G" cabinet with slip fitter for pedestal mount.	\$ <u>4300<sup>00</sup></u>
3	Two-phase, fully-actuated solid-state traffic signal controller with walk-don't walk feature, and flashing pedestrian clearance, mounted in a type "G" cabinet with slip fitter for pedestal mount. (Price for one [1] \$ <u>2790<sup>00</sup></u> )	<del>\$ <u>5580<sup>00</sup></u></del>
1	Five (5)-phase, fully-actuated solid state traffic signal controller, mounted in a type "P-1" cabinet, supplied with anchor bolts.	\$ <u>4100<sup>00</sup></u>



CERTIFICATION OF BIDDER/VENDOR

The undersigned, on behalf of TRAFFIC ONE INC  
\_\_\_\_\_, does hereby make the following representations  
to the City of Fort Wayne, Indiana.

WHEREAS, it is acknowledged that the Common Council  
of the City of Fort Wayne, Indiana, has passed an ordinance con-  
demning the apartheid policies of the country of South Africa;

WHEREAS, Council's ordinance requires that all persons,  
firms or corporations submitting bids to the City, for goods and  
services, certify, as part of the bid, that such entity does not  
support the policies of apartheid in South Africa.

The undersigned states, on behalf of TRAFFIC ONE INC.  
\_\_\_\_\_, that TRAFFIC ONE INC  
does not support or endorse the policy of apartheid in South Africa.

IN WITNESS WHEREOF, this Certification has been signed  
this 4 day of AUGUST, 1986.

TRAFFIC ONE INC.  
(Name of Bidder/Vendor)

Thomas A. Munny TREAS.  
(Name and Title of Person Signing)



## BID, OFFER OR PROPOSAL

on

### MATERIAL OR MATERIALS, EQUIPMENT, GOODS OR SUPPLIES

FORT WAYNE.....Indiana.....4 Aug....., 1986...

To Dept of Purchases.....Fort Wayne, Indiana.....  
State name official position and municipality

Pursuant to notices given, the undersigned proposes to furnish the material or materials, equipment, goods or supplies as per said notices and specifications now on file in the office of Dept of.....

Purchasing.....Fort Wayne Ind......  
state name official position and municipality

and as per copy thereof, hereto attached, or as described herein for the following amounts:

(State the class or item number or an exact description of the material or materials, equipment, goods or supplies to be furnished and amount of bid on each article.)

Class or Item	Quantity	Unit	Quality — Description	Unit Price	Amount
	1	ea	Solid State digital pre-timed Controller as specified	4300 <sup>00</sup>	4300 <sup>00</sup>
	3	ea	Two PHASE Fully Actuated Solid State Controller as specified	2790 <sup>00</sup>	8370.00 <del>5580<sup>00</sup></del>
	1	ea	Five Phase Fully Actuated Solid STATE Controller as specified	4100 <sup>00</sup>	4100 <sup>00</sup>
					<del>13980<sup>00</sup></del> 16,770.00



## PROPOSAL

The undersigned bidder agrees to furnish to City of Fort Wayne.....  
Indiana, all articles and things enumerated on the foregoing pages in accordance with the specifications and in compliance with all stipulations therein, and for the prices set opposite each item, and declares and represents that the price herein charged for each and every article and thing named in this offer or bid is net, and that it is fair, just and usual; that he has not offered nor received a less price for the articles embraced in this bid than that

stated herein, except N/A.....  
.....  
.....

(Here state specifically to whom, when, why, price)

that if this bidder shall offer to or receive from any person, firm, board, commission, trustee or corporation, during the continuance of the contract sought hereunder, a less price than that stated herein, excepting market changes, he consents that the difference shall be deducted from any sum due under said contract, or, if there be none, that said difference may be recovered from him by appropriate action; and it is hereby agreed by this bidder that this stipulation shall be a part of any contract that may be entered into upon this bid; and this bidder further agrees that he will not, directly or indirectly, withdraw this bid from the office in which it is filed and that the same shall in the manner and form in which it is made, become and remain a part of the public documents in said office.

The undersigned bidder further agrees that on acceptance of this proposal by the

City Purchasing..... of said Fort Wayne....., Indiana  
(Board or Trustee) (Gov't. Unit)

as to either or all the classes or items, this bid and agreement is to become and be a contract to such effect, as to each class or item so accepted upon the filing herewith of a bond or certified check in the amount as required by the purchaser in notice to bidders. Any liability for breach of said contract shall be enforceable by an appropriate action upon said contract or bond or certified check, as the case may be, or either or both of them as provided by law in similar cases.

In testimony whereof the bidder has hereunto set (his) (their) hand (s) this 4th..... day of  
August....., 1986..

By Thomas A. Manny.....  
Agent or Individual Member of Firm or  
Thomas A. Manny.....  
.....  
.....  
.....

Officers of Corporation

NOTE—The contract will be awarded by classes or items, in accordance with specifications. Any changes, interlineations or alterations in the items specified will render such bid void as to class or items.



Read the first time in full and on motion by Henry, seconded by Salinas, and duly adopted, read the second time by title and referred to the Committee on San Jose (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_, day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATED: 2-14-89

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Henry, seconded by Salinas, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>9</u>			
<u>BRADBURY</u>	<u>-</u>			
<u>BURNS</u>	<u>-</u>			
<u>GIAQUINTA</u>	<u>✓</u>			
<u>HENRY</u>	<u>✓</u>			
<u>LONG</u>	<u>✓</u>			
<u>REDD</u>	<u>✓</u>			
<u>SCHMIDT</u>	<u>✓</u>			
<u>STIER</u>	<u>✓</u>			
<u>TALARICO</u>	<u>✓</u>			

DATED: 2-28-89

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. S-38-89

on the 28th day of February, 1989,

Sandra E. Kennedy ATTEST  
SANDRA E. KENNEDY, CITY CLERK

SEAL  
Charles S. Reed  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 1st day of March, 1989, at the hour of 1:30 o'clock P. M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 7th day of March, 1989, at the hour of 9:20 o'clock P. M., E.S.T.

Paul Helmke  
PAUL HELMKE, MAYOR



DIGEST SHEET

TITLE OF ORDINANCE: SPECIAL

*A-89-02-05*

DEPARTMENT REQUESTING ORDINANCE: PURCHASING

SYNOPSIS OF ORDINANCE: AN ORDINANCE APPROVING THE AWARD OF REFERENCE NO. 1259 WITH RESPECT TO THE PURCHASE OF TRAFFIC SIGNAL CONTROLLERS AND CABINETS. THE COST REFLECTS THE LOWEST AND MOST RESPONSIBLE OF THREE (3) VENDORS.

EFFECT OF PASSAGE: WOULD ALLOW FOR THE PURCHASE OF THREE (3) SIGNAL CONTROLLER UNITS & CABINETS TO BE USED FOR TRAFFIC SIGNAL MODERNIZATION AND CONTROLLER REPLACEMENT PROJECTS.

EFFECT OF NON PASSAGE: TRAFFIC SIGNALS MUST CONFORM TO STATE AND FEDERAL REGULATIONS. THEY MUST FUNCTION PROPERLY AT ALL TIMES. FAILURE TO DO SO WOULD CREATE CONFUSION, CONGESTION AND DELAY AND WOULD PLACE THE CITY IN A LIABLE POSITION.

MONEY INVOLVED: TRAFFIC ONE \$8370.00

SOURCE OF FUNDING: TRAFFIC ENGINEERING  
138-011-OFFC-4299



BILL NO. S-89-02-05

## REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS  
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving the  
awarding of Reference #1259 by the City of Fort Wayne, Indiana,  
by and through its Department of Purchasing and TRAFFIC ONE for  
the Traffic Engineering Department

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) ~~(RESOLUTION)~~

YES

NO

THOMAS C. HENRY  
CHAIRMAN  
MARK E. GUAQUINTA  
VICE CHAIRMAN  
JANET G. BRADBURY  
DONALD J. SCHMIDT

JAMES S. STIER

CONCURRED IN 2-28-89.

Sandra E. Kennedy  
Sandra E. Kennedy  
City Clerk